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July 25, 2014

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
Attn: Telecommunications Policy Division

RE: Request for Limited Waiver of FCC Rule Sections 54.313 and 54.422 Regarding  
Filing Deadline for FCC Form 481, WC Docket Nos. 10-90 and 11-42

Dear Ms. Dortch:

Atlantic Telephone Membership Corporation ("ATMC"), pursuant to Section 1.3 of the Rules and Regulations of the Federal Communications Commission ("FCC" or "Commission"),<sup>1</sup> hereby requests a limited waiver of the Sections 54.313 and 54.422 of the Commission's Rules<sup>2</sup> for the filing deadline of the FCC Form 481 for 2014.

ATMC is a rural incumbent local exchange carrier ("ILEC") providing voice and broadband services in Brunswick County, NC. ATMC relies on its universal service support to improve and maintain its network so that it may offer affordable, reliable voice and broadband services. Without universal service support, ATMC will be unable to deliver these services to its customers, which would undermine the goals of universal service set by Congress and the FCC.

ATMC filed a complete un-redacted version of its Form 481 with the Universal Service Administration Company ("USAC") on June 30, 2014 via USAC's E-File portal. ATMC also filed a redacted copy of its Form 481 with the FCC via the Electronic Comment Filing System ("ECFS")

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<sup>1</sup> 47 C.F.R. § 1.3.

<sup>2</sup> 47 C.F.R. §§ 54.313 and 54.422.

in WC Docket Nos. 10-90 and 11-42 and with the North Carolina Rural Electrification Authority (“NCREA”), the state regulatory agency having authority over ATMC.

ATMC took reasonable steps to file the confidential version of its Form 481 with the FCC by the July 1, 2014 deadline. Specifically, ATMC enlisted the services of an overnight courier to deliver its Form 481 to the FCC. The courier picked up the package containing the confidential version of ATMC’s 2014 Form 481 on June 30, 2014, and was instructed to deliver the package to the FCC the next day on July 1, 2014. During the transport of the package to the FCC the courier experienced mechanical failure which delayed delivery of the package until July 2, 2014. ATMC contacted FCC staff in the Telecommunications Access Policy Division to explain why the confidential version of its Form 481 was not delivered for filing on July 1, 2014.

ATMC is requesting this limited waiver out of an abundance of caution. The UPS tracking report demonstrating the courier’s mechanical failure that resulted in the delayed delivery of the confidential version of ATMC’s 2014 Form 481 with the FCC is attached as supporting documentation for this limited waiver request as Exhibit A.

The Commission may waive its rules for good cause shown, where special circumstances warrant a deviation from the rule, and strict compliance with the rule would be inconsistent with the public interest.<sup>3</sup> There is good cause in here to waive the filing deadline requirements of Rule Sections 54.313 and 54.422 and to accept ATMC’s submission of the confidential version of its 2014 Form 481 to the Commission as timely filed. As demonstrated herein, ATMC made reasonable efforts to file its Form 481 with all required regulatory authorities by the July 1, 2014 due date for the Form 481, including the filing of the confidential version of its Form 481 by courier delivery scheduled for July 1, 2014. Indeed, ATMC timely filed the confidential version of its Form 481 with USAC via the E-File portal, the redacted version of its Form 481 with the FCC via ECFS, and the redacted version of its Form 481 with the NCREA. Due to circumstances beyond its control, the confidential version of ATMC’s Form 481 was not filed with the FCC until July 2, 2014. Therefore, out of an abundance of caution, ATMC requests a limited waiver of the filing deadline of July 1, 2014 for the delayed filing of the confidential version of its 2014 Form 481.

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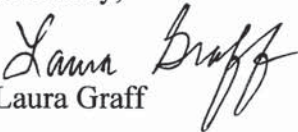
<sup>3</sup> 47 C.F.R. §1.3. *See generally* *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *WAIT Radio v. FCC*, 418 F. 2d 1153, 1159 (D.C. Cir. 1969).

Request for Waiver  
July 25, 2014  
Page 3

Grant of this limited waiver is in the public interest. As explained herein, ATMC relies on universal service support to improve and maintain its network so that it may offer affordable, reliable voice and broadband services. It is in the public interest to accept ATMC's filing of the confidential version of its 2014 Form 481 with the FCC as timely filed so there is no delay in the universal service support that ATMC receives.

Should you have any questions about this limited waiver request, please do not hesitate to contact the undersigned at 910-755-1782 or via email at [lgraff@atmc.com](mailto:lgraff@atmc.com).

Sincerely,

  
Laura Graff

Regulatory Manager

Attachment: Exhibit A, UPS Tracking Report

## EXHIBIT A





United States

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## Tracking Detail

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1Z2049100160000614

Updated: 07/14/2014 12:15 P.M. Eastern Time

## Delivered

**Delivered On:**  
Wednesday, 07/02/2014 at 9:55 A.M.

**Left At:**  
Dock

**Signed By:**  
SCOTT

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What time will your package  
be delivered to your home?  
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Delivery Windows on most  
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## Shipping Information

**To:**  
CAPITOL HEIGHTS, MD, US

## Shipped By

**UPS Next Day  
Air®**



## Additional Information

**Shipped/Billed On:** 06/30/2014  
**Type:** Package

## Shipment Progress

[What's This?](#)

Location	Date	Local Time	Activity
Landover, DC, United States	07/02/2014	9:55 A.M.	Delivered
Landover, MD, United States	07/02/2014	5:12 A.M.	The city name in the address is incorrect. This may delay delivery. We're attempting to update the address. / The delivery is rescheduled.
	07/02/2014	5:12 A.M.	Out For Delivery
	07/02/2014	3:12 A.M.	Arrival Scan
Laurel, MD, United States	07/02/2014	2:50 A.M.	Departure Scan
	07/02/2014	2:32 A.M.	Arrival Scan
Baltimore, MD, United States	07/02/2014	2:05 A.M.	Departure Scan
	07/02/2014	1:19 A.M.	Arrival Scan
Louisville, KY, United States	07/01/2014	3:19 P.M.	Departure Scan
	07/01/2014	5:11 A.M.	Arrival Scan
	07/01/2014	4:26 A.M.	A mechanical failure has delayed delivery. We're adjusting plans to deliver your package as quickly as possible.
Raleigh, NC, United States	07/01/2014	3:52 A.M.	Departure Scan
Wilmington, NC, United States	06/30/2014	7:21 P.M.	Origin Scan
United States	06/30/2014	3:45 P.M.	Order Processed: Ready for UPS

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